



## ALAMEDA COUNTY CONGESTION MANAGEMENT AGENCY

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*December 11, 2008  
Agenda Item 9.1*

### **Memorandum**

**DATE:** December 1, 2008

**TO:** CMA Board

**FROM:** Ray Akkawi, Manager of Project Delivery

**SUBJECT:** I-680 Express Lane – Authorization to Execute Necessary Contracts to Integrate the Electronic Toll System with the HOV/HOT Lane.

### **Action Requested**

In June of this year the CMA received an \$8 million allocation vote of State Transportation Improvement Program (STIP) / Regional Improvement Program (RIP) funds for implementation of the I-680 Express Lane. It is recommended that the Board approve the following actions in support of delivering the I-680 Express Lane project – System Integration Phase:

1. Authorize the Executive Director, or his designee, to award the System Integration Contract to Electronic Transaction Consultants Corporation (ETC) as the responsible and responsive bidder, for an amount not to exceed \$6,297,000. This estimate includes the base contract, the operation of the Express Lane during a one year warranty period, a subsequent (optional) one year maintenance and operations period and a 10% (\$570,000) contingency.
2. Approve the implementation plan (Attachment A) outlining the expenditure of the \$8 million for the delivery of the Express Lane Project.

### **Background**

In June of this year, the CTC allocated \$8 million in STIP-RIP funds to the CMA for System Integration and related technical support for the implementation of the I-680 Express Lane Project. Although the funds were programmed for the construction phase of the project, the System Integration phase of the project is a combination of both project development and construction. The CMA will use the funds for software development, equipment procurement, construction and professional services. The CTC's STIP guidelines require an action by the governing board of the implementing agency to award a contract for any funds programmed to the construction phase of a project.

### **Action 1:**

The CMA, as the managing agency on behalf of the Sunol Smart Carpool Joint Powers Authority (JPA), released a Request for Proposals (RFP) on June 16, 2008 for the I-680 Express Lane Electronic Toll System. The CMA has received three proposals and after interviewing all three consultants, the selection panel decided to negotiate a contract with ETC. CMA staff and legal

counsel are leading the negotiation and an agreement is expected to be reached prior to the date of the Board meeting. The estimated cost of the contract, including operation of the Express Lane during a one year warranty period , a subsequent (optional) one year maintenance and operations period, and a 10% (\$570,000) contingency is \$6,297,000.

As soon as the negotiations are completed and the Board authorizes execution of the final agreement with ETC, the Award Letter to ETC will be submitted to CTC to conform with the STIP Guidelines

At the time CMA released the agendas for the November committee meetings, it was assumed that the JPA would sign this contract directly. The decision has now been made to have the CMA execute the contract, and to assign the contract to the JPA upon the completion of certain organizational requirements by the JPA. To comply with timely use of funds restrictions applicable to the STIP-RIP funds, CMA must execute this contract on or before December 20, 2008. This deadline necessitates bringing this matter directly to the Board at this meeting, rather than waiting for the January meetings of the Committees and Board.

*Action 2:*

In support of delivering the Electronic Toll System phase of the I-680 Express Lane Project, additional support contracts have already been authorized by the CMA Board and are summarized in Attachment A. These contracts cover the support activities related to I-680 Express Lane Electronic Toll System Phase:

Staff is requesting that the Board authorize the use of available STIP-RIP funds for the above contracts along with CMA staff time and legal support. The estimated amount of STIP-RIP funding required is \$1,703,000.

**Financial Impact to the CMA**

The resources and expenditures associated with this phase of the project are included in the 2008/2009 CMA budget.

## Funding Plan for the ALA HOT RIP Funds

### The Integrator Contract

	Type of Service Provided	CMA Board Authorization	Contract End Date	HOT ALA RIP	Support	Capital
Wilbur Smith Associates	Systems Manager	6/26/2008	11/30/2010	\$ 252,000.00	\$ 252,000.00	\$ -
Wendel, Rosen, Black & Dean	Legal Council		12/30/2009	\$ 100,000.00	\$ 100,000.00	\$ -
Alameda Program Managers	Control/Coord	6/26/2008	4/30/2009	\$ 550,686.00	\$ 550,686.00	\$ -
Solem & Associates	Marketing/ PR	1/24/2008	6/30/2009	\$200,000.00	\$ 200,000.00	
Carter & Burgess	Scheduling	6/12/2006	6/30/2009	\$50,000.00	\$ 50,000.00	
CMA Staff			6/30/2011	\$ 550,314.00	\$ 550,314.00	\$ -
ET Consultant (ETC)	System Integrator	TBD	6/30/2011	\$ 6,297,000.00	\$ -	\$ 6,297,000.00
<b>TOTAL</b>				<b>\$ 8,000,000.00</b>	<b>\$ 1,703,000.00</b>	<b>\$ 6,297,000.00</b>

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